

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

UNITED STATES OF AMERICA )  
*Plaintiff* )  
v. ) NO. 1:08-CR-135  
JAMES EVITT ) *Collier/Carter*  
*Defendant* )

**O R D E R**

On March 31, 2009, Magistrate Judge William B. Mitchell Carter filed a Report and Recommendation recommending (a) the Court accept Defendant James Evitt's ("Defendant") plea of guilty to Count One of the Indictment, (b) the Court adjudicate Defendant guilty of the charges set forth in Count One of the Indictment; and (c) Defendant shall remain on bond pending sentencing in this matter (Doc. 15). Neither party filed an objection within the given ten days. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 15) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's plea of guilty to Count One of the Indictment is **ACCEPTED**;
- (2) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One of the Indictment; and
- (3) Defendant **SHALL REMAIN ON BOND** pending sentencing on **Thursday, July 9, 2009, at 2:00 pm.**

**SO ORDERED.**

ENTER:

/s/

**CURTIS L. COLLIER  
CHIEF UNITED STATES DISTRICT JUDGE**